

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**IN RE:**

**PEDRO SANTOS OQUENDO**

**DEBTOR(S)**

**CASE NUMBER: 07-07684 (ESL)**

**CHAPTER 13 ASSET CASE)**

**DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE**

**THE HONORABLE COURT:**

**COMES NOW**, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

**a. Amended in order to cured arrears with chapter 13 plan due to the death of his mother and extraordinary expenses.**

3. Debtor (s) amend plan call twenty nine(29) payment of \$200.00, four(4) payments of \$0.00 and seven (7) payments of \$200.00 for a total base of \$7,200.00.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules which no only provides for the four (4) arrears but extends the plan those four (4) months in order for the base remain the same.

**WHEREFORE**, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

**NOTICE**

"Parties in interest are notified they have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificate of service by the movant that adequate notice was given. Should an opposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 8<sup>th</sup>, day of October, 2010.

**I HEREBY CERTIFY:** That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **José R. Carrión, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

**RESPECTFULLY SUBMITTED.**

**/s/ Marilyn Valdes Ortega**  
**MARILYN VALDES ORTEGA**  
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United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. **07-07684 ESL**

**SANTOS OQUENDO, PEDRO**

Debtor(s)

Chapter **13**

**CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☒ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: \_\_\_\_\_

☒ AMENDED PLAN DATED: **10/08/2010**

☐ PRE ☐ POST-CONFIRMATION

Filed by: ☒ Debtor ☐ Trustee ☐ Other

**I. PAYMENT PLAN SCHEDULE**

\$ **200.00** x **29** = \$ **5,800.00**  
\$ **0.00** x **4** = \$ **0.00**  
\$ **200.00** x **7** = \$ **1,400.00**  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

TOTAL: \$ **7,200.00**

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
within \_\_\_\_\_ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in  
addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

PROPOSED BASE: \$ **7,200.00**

**III. ATTORNEY'S FEES**  
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
Disclosure Statement: \$ **2,954.00**

*350.00*  
+  
*Balance 3304.00*

Signed: */s/ PEDRO SANTOS OQUENDO*  
Debtor

Joint Debtor

**II. DISBURSEMENT SCHEDULE**

A. ADEQUATE PROTECTION PAYMENTS OR \_\_\_\_\_ \$ \_\_\_\_\_

B. SECURED CLAIMS:

☒ Debtor represents no secured claims.

☐ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☐ Trustee pays secured ARREARS:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☐ Debtor otherwise maintains regular payments directly to:

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: \_\_\_\_\_  
☐ Paid 100% / ☐ Other: \_\_\_\_\_

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)  
**TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR  
PRIORITY CREDITOR.**

Attorney for Debtor **Marilyn Valdes Ortega Law Offices**

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